

## HOUSE BILL NO. 473

INTRODUCED BY PARKER, BERGREN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO FIRE SEASONS; ALLOWING SMALL, RECREATIONAL FIRES WITHOUT A PERMIT OR PERMISSION; AND AMENDING SECTIONS 7-33-2205 AND 7-33-2206, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 7-33-2205, MCA, is amended to read:

**"7-33-2205. Establishment of fire season -- permit requirements -- reimbursement of costs. (1)**

The county governing body may in its discretion establish fire seasons annually, during which a person may not ignite or set ~~any~~ a forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire within the county protection area on any residential or commercial property, forest, range, or croplands subject to the provisions of this part without having obtained an official written permit or permission to ignite or set a fire from the recognized protection agency for that protection area.

(2) A permit or permission is not needed for recreational fires measuring less than 30 48 inches in diameter THAT ARE SURROUNDED BY AN INFLAMMABLE A NONFLAMMABLE FIRE-RING STRUCTURE AND FOR WHICH A SUITABLE SOURCE OF EXTINGUISHING THE FIRE IS AVAILABLE.

~~(2)(3)~~ A person who purposely ignites a fire in violation of this section shall reimburse the county governing body or recognized protection agency for costs incurred for any fire suppression activities resulting from the illegal fire."

**Section 2.** Section 7-33-2206, MCA, is amended to read:

**"7-33-2206. Violations.** ~~Any~~ A person who ignites or sets ~~any~~ a forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire ~~within~~ on any residential or commercial property, forest, range, or cropland subject to the provisions of this part without first having obtained a written permit or permission from the recognized protection agency for that protection area to ignite or set ~~such~~ the fire is guilty of a misdemeanor."

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